

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MINNESOTA**

CIVIL MOTION HEARING

AMENDED COURT MINUTES

BEFORE: JOAN N. ERICKSEN

U.S. District Judge

DAVID T. SCHULTZ

U.S. Magistrate Judge

IN RE: Bair Hugger Forced Air Warming
Devices Product Liability Litigation

Case No: 0:15-md-02666 (JNE/DTS)

Date: December 20, 2018

Court Reporter: Maria V. Weinbeck

Courthouse: Minneapolis

Courtroom: 12W

Time in Court: 9:44 AM - 10:34 AM

Time in Court: 50 Minutes

STATUS CONFERENCE

APPEARANCES:

Plaintiff: Genevieve M. Zimmerman, Michael A. Sacchet, Kyle W. Farrar, Gabriel Assaad,
David W. Hodges

Defendant: Jerry W. Blackwell, Benjamin W. Hulse, Mary S. Young, Ted Hartman

Please see attached list of telephone participants. **(Attached)**

PROCEEDINGS:

- ☒ Status Conference held on December 20, 2018.
- ☒ Appearances made on the record.
- ☒ The Court granted in part Defendants' motion to dismiss under Pretrial Order No. 23. MDL ECF No. 1584. The Court granted in part Defendants' motion to dismiss under Pretrial Order No. 14. MDL ECF No. 1615. The Court denies Plaintiff Axline's motion to dismiss without prejudice pursuant to Rule 41(a)(2), *Axline* ECF No. 73, and grants Defendants' cross motion to dismiss with prejudice the remaining claims in *Axline*, 17-cv-511 pursuant to Rule 12(c).
- ☒ The Court orders the following briefing schedule for the Motion to Reconsider: Defendants' Motion to Reconsider is due January 24, 2019; Plaintiffs' response is due February 21, 2019; and Defendants' reply is due March 14, 2019.

- ☒ Next Status Conference is scheduled for March 21, 2019, at 9:30 AM. The upcoming January 17, 2019, and February 21, 2019 status conferences are cancelled. Although these status conferences are cancelled, if any disputes are identified to the Court pursuant to Pretrial Order No. 14 para. 7, those disputes will be deemed addressed to the Court notwithstanding the fact that there will be no in-court conference.